

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:09-CV-398-D

LILLIAN WOODY and  
FRED WOODY, JR.,

Plaintiffs,

v.

BANK OF AMERICA CORPORATION,  
BANK OF AMERICA, N.A., and  
BAC HOME LOANS SERVICING, L.P.,


Defendants.

**ORDER**

On June 17, 2010, plaintiffs filed a motion for a new trial [D.E. 21]. On June 25, 2010, defendants responded in opposition [D.E. 22].

There never was a trial in this case. On June 8, 2010, the court granted defendants' motion to dismiss under Rule 12(b)(6) of the Federal Rules of Civil Procedure [D.E. 19]. Plaintiffs' motion [D.E. 21] lacks merit and is DENIED.

SO ORDERED. This 25 day of June 2010.

  
JAMES C. DEVER III  
United States District Judge